A Critical Analysis of the Functioning of *Lokayuktas* in Indian States with Special Reference to Rajasthan Lokayukta

Synopsis of the Research Proposal

Submitted for the Registration in the

Ph.D program (Part Time) in Law

By

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UNDER SUPERVISON OF

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ABSTRACT

Corruption-free governance is one of the essential prerequisites to achieve the goals of 'Welfare State' and 'Justice' as mandated by the Constitution. However, India's score in the Corruption Perception Index (CPI), during the period of 2013-24, has been almost stagnant within the range of 36 - 41, with the latest being 40 as per the 2023 CPI. This shows that India has been unable to secure any considerable achievement in its regimes against corruption. The *Lokayukta* institutions in some states have been regularly in the news for their anti-corruption measures. The Central government has passed Lokpal and Lokayuktas Act in 2013 that has mandated state governments to strengthen lokayuktas in their respective jurisdictions. Some states have amended the laws while many still lag behind in ensure fully the functioning of the Lokayuktas in their respective jurisdictions. In some states the institutions of Lokayuktas are performing tremendously in terms of disposing complaints and ensuring justice however there have been states where Lokayuktas effectiveness and functioning are not well. The working experience also shows that the state governments have not been serious about the recommendations made by the *Lokayukta*.

The efficacy of *Lokayukta* largely depends *inter alia* upon how it deals with the complaints, how actively it exercises its *suo-moto* powers and how much transparency and accountability it maintains in its own functioning. In the era of ICT when the e-governance is one the important indicators of governmental functioning, most of the *Lokayukta* offices are not incorporating e-governance measures such as e-filing of complaints, complaint tracking mechanism and information relating to redressal through their official websites. This is causing a considerable hindrance in making the institutions of *Lokayukta* more accessible and complaint-friendly. Also in State of Rajasthan ,Lokayuktainstitutions has been created but due to several administrative, procedural and other problems and issues, they are struggling in dispensing justice as per the mentioned goals. The study aims to fill the above gaps in the present study.

Key words:Lokayuktas,Rajasthan,Lokpal,corruption, Legal framework, power, politics, judicial contribution.

Title

A Critical Analysis of the Functioning of Lokayuktas in Indian States with Special Reference to Rajasthan Lokayukta

1. Introduction

Corruption-free governance is one of the essential prerequisites to achieve the goals of 'Welfare State' and 'Justice' as mandated by the Constitution. The Parliament of India passed the *Lokpal* and *Lokayuktas* Act 2013, which marked the establishment of *Lokpal* at the Centre and *Lokayukta* in each State to curb the menace of corruption. Some of the Indian States had constituted similar institutions within their jurisdictions even before 2013 through the enactment of respective State laws.

India's score in Corruption Perception Index (CPI), during the period of 2013-24 has been constrained within the range of 36 - 41, with the latest being 40 as per the 2023 CPI. Which shows that India has been unable to secure any considerable achievement in its regimes against corruption. The institutions of *Lokayukta* were predominantly created for dealing with the issues of corruption in the States thereby contributing towards the delivery of fair, transparent and accountable governance to the people. But the ignorant approach of the States towards *inter alia* appointment of the *Lokayukta*and providing adequate legislative tools have raised serious concerns. In a petition alleging many State governments "deliberately weakening" the*Lokayukta* by not providing adequate infrastructure, sufficient budget and workforce, the Hon'ble Supreme Court directed 12 States to file reports as to why they had not appointed *Lokayukta* in their respective states and also directed them to expedite the process of appointment among other orders. The *Lokayukta* institutions some states havebeen regularly in the news for their anti-corruption measures. This is perhaps due to the adequate support and cooperation from the state governments concerned. The reports of the *Lokayuktas* have not been placed on the table of thehouse for many years is the common experience of the working of the *Lokayukta*institution in many states of the country.The working experiencealso shows that the state governments have not been serious about the recommendationsmade by the *Lokayukta*.

It is important for the institutions of *Lokayukta*to have a proactive approach towards securing its objectives. The efficacy of *Lokayukta* largely depends *inter alia* upon how it deals with the complaints, how actively it exercises its *suo-moto* powers and how much transparency and accountability it maintains in its own functioning. In the era of ICT when the e-governance is one the important indicators of governmental functioning,most of the *Lokayukta* offices are not incorporating the e-governance measures such as e-filing of complaints, complaint tracking mechanism and information relating to redressal through their official websites. This is causing a considerable hindrance in making the institutions of *Lokayukta* more accessible and complaint-friendly.

2. Review of Literature

The research problem has been done to detect a comprehensive review interval of literature on the hand and address them in the current study. The law article published on corruption and the mechanism has been reviewed to address them at the center and state levels:

Karthikeya Mishra and Sandeep Mishra (2024), in their studies, investigated the powers and actions of Lokpal and Lokayukta, especially in their studies, giving a special emphasis on the role of the judiciary and shaping their effectiveness.

Iniavan (2024) focused in its study that the role of Lokpal in Indian institutions like Lokayukta, Lokpal, CVC has not been fully successful in controlling corruption for many reasons. These institutions can only investigate complaints, do not have the power to punish. Citizens are not well aware of information about these institutions and they are not easily accessible.

Saraswat Srivastava and Sandeep Mishra (2024) analyzed the obstacles faced by Lokpal and Lokayukta in their studies, which took their responsibilities and the consequences of these issues to widely anti -corruption efforts.

T. Sadashivam 1 and Shahla Tabasum (2023) said in their studies that corruption in public life has been seen in countries for a long time. India is also not immune to the problem of corruption. It is one of the most important challenges in the way of achieving effective governance. Thus, the need for an institution of Lokpal, especially to fight against corruption at the national level, has been debated and demanded.

Dr. Manvendra (2022) mentioned in his study how Lokayukta works and what is its role in Kerala's fight against corruption. Kerala was the first state in INIA to establish a Lokpal agency

John S.T. Quas (2008) has been analyzed; by investigating various anti-corruption measures with the problem of corruption in India and the formation of the first anti-corruption agency in 1941, it has now turned into a CBI in 1963. The lack of political will of the leader's adverse policy lesson was the lack of opposing corruption law in India. There is a need to establish the institution of Lokpal and Lokayukta.

IP Massey, (2006), has very well explained on the subject of its establishment in Ombdsman and various countries like Sweden, America and England. He has placed the complications involved in the establishment of this institution in India under the guise of Lokpal at the central level and also under the guise of Lokayuktas at the state level.

"Administrative Law: lessons and materials", (2006) focuses on the concept of Lokpal in both political and legal aspects, thus the readers are informative with various aspects of the concept of Lokpal. In addition, it also explained the origin and development of the concept of Lokpal in the United Kingdom. This helped clarify the need and role of Lokpal and Lokayuktas.

Research gaps:

1. There is a lack of post-2013 impact studies on the topic, as most existing academic literature discusses Lokayuktas historically. Very few studies have systematically evaluated the functioning of Lokayuktas after the Lokpal and Lokayuktas Act, 2013, which directed states to strengthen these institutions.
2. There is very little field-based research on the topic. Existing studies are in the form of legal commentary rather than empirical-based findings and analysis.
3. Comparative study of different states'Lokayuktas and their level of autonomy, powers, and resources is limited.
4. There is a lack of studies focusing on stakeholder perspectives. In the present study, citizens' and complainants' experiences and perceptions of accessibility of Lokayuktas will be examined, as these aspects are under-researched in previous academic literature.

3. Statement of the Research Problem

The incidences of corruption in the public sector in India particularly in the government departments, are frequently reported from different parts of the Country. The establishment of the Lokayuktas under the Lokpal and Lokayuktas Act 2013 brought a ray of hope to ensure a corruption-free regime in States. The Act mandated States to strengthen Lokayuktas to counter corruption; however, many Lokayuktas face infrastructural problems, lack of appointments, and understaffing in Lokayukta offices across the States, limited powers, procedural delay, and political interference. These issues with Lokayuktashave raised concerns and intentions of the governments to weak compliance with the mandates of the Act. In Rajasthan, the corruption in public offices is rampant, and the established Lokyukta, inthe absence of staff, judges, and infrastructure facilities, has struggled a lot to dispense justice and to ensure transparency, accountability, and answerability in the public administration. Despite being a key anti-corruption body, its actual efficiency remains underexplored, especially in the post-2013 period when institutional reforms were expected as per the Central government's mandate. Hence, there is a need to critically evaluate the functioning of Lokayuktas and to identify gaps in implementation.

4. Significance of the Study

1. The research will contribute to developing an institutional mechanism for fighting corruption in India.
2. It will offer policy and legal recommendations for strengthening anti-corruption institutions in Rajasthan and beyond.
3. The study will inform lawmakers, administrators, and civil society about reforms required to make such institutions truly effective.
4. The study will also contribute to other disciplines in addition to law, such as public administration and political science.

5. Research Objectives

1. To critically evaluate the governments' approach towards strengthening the institution of Lokayukta within their respective jurisdictions,including legislative measures.
2. To trace the patterns of Lokayukta institutions in dealing with the complaints/ suo-moto proceedings within their respective jurisdictions, including the usage of ICT
3. To compare Rajasthan's Lokayukta functioning with high-performing States' Lokayuktas to see what drives efficiency.

4. To trace and analyze the role of the Judiciary towards the effective functioning of Lokayukta and the States' response to it.
5. To assess stakeholder perspectives on the Lokayukta'sfunctioning and effectiveness.
6. To suggest the measures and course of action that could be taken to make Lokayuktas autonomous, efficient, and trusted in their functioning.

6. Research Questions

1. What are the patterns on which the states are making appointments of*Lokayukta*?
2. Whether the states are providing necessary legislative, administrative, and financial support to such institutions for their proper functioning?
3. What is the approach of *Lokayukta* while dealing with the complaints/ *suo-motu* proceedings?
4. What are the proactive steps taken by *Lokayukta*to improve its functioning?
5. What are the legislative gaps in strengthening the institutions of*Lokayukta*?
6. How do complainants, lawyers, officials, and civil society perceive Lokayuktas' effectiveness and accessibility/?
7. What reforms are required to make Lokayuktas more autonomous, effective, efficient, and trusted?

7. Hypotheses

1. The governments show minimal interest in providing necessary legislative, administrative, and financial support to *Lokayukta* institutions for their proper functioning.
2. The institutions of *Lokayukta*lack the activist approach towards dealing with the complaints or issues within their respective jurisdictions.
3. Stakeholder perception of Lokayukta functioning and effectiveness remains low due to procedural delays, lack of enforcement powers, and limited awareness.

8. Research Methodology

- **Research Design**

The researcher will adopt a mixed-methods approach by integrating both quantitative and qualitative research methods for data collection. The analytical research method will be used to analyse existing laws, judicial judgments on the prevention of corruption, and the functioning of the Lokayukta in Rajasthan. The comparative framework will examine the effectiveness of different state Lokayuktas using performance indicators.

- **Sources of Data**

Primary Data: The primary data will be collected by using a questionnaire and interviews, and the use of RTI to gain insights about the functioning of the anti-corruption institution of Lokayuktas.

Secondary Data: The study aims to analyse the functioning of *Lokayukta* institutions over the last eleven years (2013-2024) to evaluate their efficacy in achieving statutory objectives and constitutional mandates. To ensure a comprehensive analysis, the research will rely on both primary and secondary data sources, making it broadly empirical. The secondary data will be collected from legislative documents, debates in Legislative Assemblies, government reports, and judgments of the Indian judiciary. Scholarly articles written in the field of law, books, and government publications will also be relied upon to complete the present study.

Further, primary data will include a thorough examination of statutory provisions, focusing on the legal frameworks governing *Lokayukta* institutions, as well as relevant case laws, court judgments, and legal precedents that impact their functioning. Furthermore, government reports and parliamentary/legislative proceedings will be analyzed to highlight institutional performance, legislative developments, and the challenges faced by Lokayuktas.

The secondary data includes academic literature, including scholarly articles, theses, dissertations, commentaries, and textbooks, which will be extensively reviewed to provide insights into anti-corruption bodies and governance mechanisms. In addition, tertiary sources such as encyclopaedias, bibliographies, web articles, and news reports will be consulted to gain supplementary perspectives and contextual understanding.

- **Universe of the Study**

All stakeholders in the State of Rajasthan (such as retired judges/judges lokayukta members and staff, government officials, complainants, lawyers who appear before Lokayaukta) will constitute the Universe or population for the present studyto capture their subjective perceptions, experiences, and challenges. The researcher will also undertake field visits to *Lokayukta*offices in selected states to collect on-site data and further enhance the authenticity of the study.

- **Sample and Sampling Technique**

The purposive and snowball sampling technique will be used. A total of 450 key informants will be interviewed from Rajasthan, and 20-50 informant, like judges/lokayukta officials/ lawyers from other states will be interviewed. Thus, in total, around 500 respondents will be interviewed to gain quantitative and qualitative insight into the problems.

- **Tools of Data Collection**

For primary data collection, the researcher shall firstly explore the availability of data on the official websites of the concerned *Lokayukta* offices, and if any gap is identified, the researcher will seek information under the *Right to Information Act* (RTI) from different State *Lokayukta*. For RTI, a structured questionnaire shall be prepared to seek the response in order to obtain insights into their functioning. For data analysis, quantitative data obtained from RTI responses, official reports, and structured questionnaires will be statistically analysed to identify trends, patterns, and gaps in the performance of *Lokayuktas.* On the qualitative front, subjective responses from interviews will be evaluated to identify key themes, perceptions, and challenges. Content analysis of statutes, case laws, and parliamentary/legislative discussions will be undertaken to interpret the efficacy of *Lokayuktas* in achieving their objectives. Comparative analysis between states will also be conducted to highlight variations in implementation and outcomes.

9. Scope and Limitations

Scope:

The present study is a PAN India study that targets the institutions of Lokayukta established in different states of India. The study makes a critical appraisal of the functioning of Lokayukta on various objective parameters, inter alia state's approach, available legislative framework,

judicial trends, appointment, dealing with complaints, suo-moto cognizance, and e-governance. The researcher focuses on analysing the functioning of Lokayukta during past eleven years i.e., 2013-24 or since the establishment of Lokayukta in the respective state, whichever is later.

The scope of the research involves field visits to selected *Lokayukta*offices across various states to conduct interviews and gather relevant data. The selection of states will be guided by criteria such as the performance indicators of *Lokayuktas* and the availability of statutory frameworks and institutional setups. This detailed and systematic methodology ensures a structured and comprehensive evaluation of *Lokayukta* institutions and provides robust empirical evidence to assess their effectiveness over the study period.

Limitations: -

The present study is limited to the State of Rajasthan only and does not cover the functioning of the Lokpal at the Central level or other state anti-corruption bodies unless used for comparative analysis.

10. Expected Outcomes:

1. Insights into complaint issues and citizen trust related to Lokayuktas
2. Evidence-based suggestions for improving the state Lokayuktas' functioning through legal reforms
3. Detailed analysis of Lokayukta performance pre and post 2013 reforms
4. Identification of structural and procedural gaps in corruption complaints handling.

11. Recharge Timeline:Phase-wise Plan

Year 1: literature Review & theoretical Framework (Months 1-12)

Phase	timeline	Activities
1.1	**Months 1-6**	Finalize research questions & objectives; proposal development; supervisor consultations.
1.2	**Months 7-12**	Detailed literature review: laws(Prevention of Corruption Act, Lokpal Act, etc.) reports (e.g., Transparency

		International, CVC reports), court judgments, international comparison.
1.3	**Months 13-15**	Develop theoretical framework: good governance, rule of law accountability theories. Institutional effectiveness.
1.4	**Months 16-18**	Finalize methodology (doctrinal + empirical); identify key anti-corruption agencies (CVC, CBI, Lokpal, ACBs, state- level bodies) Prepare fieldwork plan
1.5	**Months 19-21**	Get permissions for fieldwork, RTIs, interviews Finalize questionnaire/ schedule.
1.6	**Months 22-24**	Fieldwork: Interviews with officials (CBI, CVC, Lokayuktas), NGOs, whistleblowers, academics, journalists. Collect data on selected cases (Successful & failed investigations)Transcribe interviews, code responses (qualitative analysis). Begin drafting empirical chapters

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